

**MEMORANDUM ENDORSEMENT**

Illescas v. Annucci et al, No. 21-cv-8473 (NSR)

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DATE FILED: 6/1/2022

The Court is in receipt of the motion to dismiss filed by Defendant Jesse M. Wolstein (ECF No. 46).


Defendant Wolstein's motion to dismiss is DENIED without prejudice for failure to follow the Court's directive. As specified in the Court's May 13, 2022 order (ECF No. 45), all motion papers shall be filed on the reply date of July 29, 2022.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 46. The Clerk of Court is further directed to mail a copy of this Memorandum Endorsement to *pro se* Plaintiff at his address listed on ECF and to show service on the docket.

DATED: June 1, 2022

White Plains, NY

SO ORDERED:

  
HON. NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SILVIO R. ILLESCAS,

Plaintiff,

**Civil Action No.: 7:21-cv-08473-NSR**

-against-

ANTHONY ANNUCCI, DR. JOHN MORLEY,  
DR. ROBERT V. BENTIVEGNA, ALBERT ACRISH,  
VASSAR BROTHERS MEDICAL CENTER,  
DR. SAJIN A. PILLAI, DR. ROBERT U. MMEREOLE,  
DR. JESSE M. WOLSTEIN, DR. BRUCE R. GENDRON,  
DR. DANIEL E. LAURIE, DR. HECTOR OJEDA-MARTINEZ,  
and SEHRISH SHAHID,

Defendants.

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**NOTICE OF MOTION**

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NOTICE OF MOTION BY:	Timothy P. Tripp, Esq. for defendant, Jesse Wolstein, M.D.
DAY, TIME AND PLACE:	At the United States District Court, Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312.
NATURE OF ACTION:	42 USC § 1983.
SUPPORTING PAPERS:	Attorney Affirmation of Timothy P. Tripp, Esq., sworn to the 31 <sup>st</sup> day of May, 2022, with supporting exhibits and Memorandum of Law.
RELIEF SOUGHT:	GRANT defendant Jesse Wolstein, M.D.'s, motion to dismiss plaintiffs' complaint in its entirety and with prejudice and GRANT such other and further relief as this Honorable Court deems just and proper.

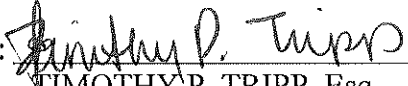
OPPOSING PAPERS:

Pursuant to the Court's May 13, 2022 Order, Plaintiff's opposition, if any, must be served by July 14, 2022 and Defendants' reply papers must be served by July 29, 2022.

DATED: May 31, 2022  
Albany, New York

Yours, etc.,

PHELAN, PHELAN & DANEK, LLP

By:   
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